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will conform to the approved configuration when assembled;

(c) Remove or cause to be removed any temporary installation incorporated on an aircraft for the purpose of export delivery and restore the aircraft to the approved configuration upon completion of the delivery flight;

(d) Secure all proper foreign entry clearances from all the countries involved when conducting sales demonstrations or delivery flights; and

(e) When title to an aircraft passes or has passed to a foreign purchaser—

(1) Request cancellation of the U.S. registration and airworthiness certificates, giving the date of transfer of title, and the name and address of the foreign owner;

(2) Return the Registration and Airworthiness Certificates, AC Form 8050.3 and FAA Form 8100-2, to the FAA; and

(3) Submit a statement certifying that the United States' identification and registration numbers have been removed from the aircraft in compliance with § 45.33.

[Amdt. 21-2, 30 FR 8465, July 2, 1965, as amended by Amdt. 21-48, 44 FR 15650, Mar. 15, 1979]

## § 21.337 Performance of inspections and overhauls.

Unless otherwise provided for in this subpart, each inspection and overhaul required for export airworthiness approval of Class I and Class II products must be performed and approved by one of the following:

(a) The manufacturer of the product.

(b) An appropriately certificated domestic repair station.

(c) An appropriately certificated foreign repair station having adequate overhaul facilities, and maintenance organization appropriate to the product involved, when the product is a Class I product located in a foreign country and an international office of Flight Standards Service has approved the use of such foreign repair station.

(d) The holder of an inspection authorization as provided in Part 65 of this chapter.

(e) An air carrier, when the product is one that the carrier has maintained under its own or another air carrier's continuous airworthiness maintenance

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program and maintenance manuals as provided in Part 121 of this chapter.

(f) A commercial operator, when the product is one that the operator has maintained under its continuous airworthiness maintenance program and maintenance manual as provided in Part 121 of this chapter.

[Amdt. 21-2, 30 FR 8465, July 2, 1965, as amended by Amdt. 21-8, 31 FR 2421, Feb. 5, 1966; Amdt. 21-79, 66 FR 21066, Apr. 27, 2001]

## § 21.339 Special export airworthiness approval for aircraft.

A special export certificate of airworthiness may be issued for an aircraft located in the United States that is to be flown to several foreign countries for the purpose of sale, without returning the aircraft to the United States for the certificate if—

(a) The aircraft possesses either—

(1) A standard U.S. certificate of airworthiness; or

(2) A special U.S. certificate of airworthiness in the restricted category issued under § 21.185;

(b) The owner files an application as required by § 21.327 except that items 3 and 4 of the application (FAA Form 8130-1) need not be completed;

(c) The aircraft is inspected by the Administrator before leaving the United States and is found to comply with all the applicable requirements;

(d) A list of foreign countries in which it is intended to conduct sales demonstrations, together with the expected dates and duration of such demonstration, is included in the application;

(e) For each prospective importing country, the applicant shows that—

(1) He has met that country's special requirements, other than those requiring that documents, information, and materials be furnished; and

(2) He has the documents, information, and materials necessary to meet the special requirements of that country; and

(f) All other requirements for the issuance of a Class I export certificate of airworthiness are met.

[Amdt. 21-12, 31 FR 12565, Sept. 23, 1966, as amended by Amdt. 21-43, 40 FR 2577, Jan. 14, 1975; Amdt. 21-55, 46 FR 44737, Sept. 8, 1981]

EFFECTIVE DATE NOTE: By Docket No. FAA-2006-25877, 74 FR 53391, Oct. 16, 2009, subpart L of part 21 was revised, effective Apr. 14, 2010. For the convenience of the user, the revised text is set forth as follows:

### Subpart L—Export Airworthiness Approvals

#### § 21.321 Applicability.

This subpart prescribes—

- (a) Procedural requirements for issuing export airworthiness approvals; and
- (b) Rules governing the holders of those approvals.

#### § 21.325 Export airworthiness approvals.

(a) An export airworthiness approval for an aircraft is issued in the form of an export certificate of airworthiness. This certificate does not authorize operation of that aircraft.

(b) The FAA prescribes the form and manner in which an export airworthiness approval for an aircraft engine, propeller, or article is issued.

(c) If the FAA finds no undue burden in administering the applicable requirements of Title 49 U.S.C. and this subchapter, an export airworthiness approval may be issued for a product or article located outside of the United States.

#### § 21.327 Application.

Any person may apply for an export airworthiness approval. Each applicant must apply in a form and manner prescribed by the FAA.

#### § 21.329 Issuance of export certificates of airworthiness.

(a) A person may obtain from the FAA an export certificate of airworthiness for an aircraft if—

(1) A new or used aircraft manufactured under subpart F or G of this part meets the airworthiness requirements under subpart H of this part for a—

(i) Standard airworthiness certificate; or

(ii) Special airworthiness certificate in either the “primary” or the “restricted” category; or

(2) A new or used aircraft not manufactured under subpart F or G of this part has a valid—

(i) Standard airworthiness certificate; or

(ii) Special airworthiness certificate in either the “primary” or the “restricted” category.

(b) An aircraft need not meet a requirement specified in paragraph (a) of this section, as applicable, if—

(1) The importing country or jurisdiction accepts, in a form and manner acceptable to the FAA, a deviation from that requirement; and

(2) The export certificate of airworthiness lists as an exception any difference between

the aircraft to be exported and its type design.

#### § 21.331 Issuance of export airworthiness approvals for aircraft engines, propellers, and articles.

(a) A person may obtain from the FAA an export airworthiness approval to export a new aircraft engine, propeller, or article that is manufactured under this part if it conforms to its approved design and is in a condition for safe operation.

(b) A new aircraft engine, propeller, or article need not meet a requirement of paragraph (a) of this section if—

(1) The importing country or jurisdiction accepts, in a form and manner acceptable to the FAA, a deviation from that requirement; and

(2) The export airworthiness approval lists as an exception any difference between the aircraft engine, propeller, or article to be exported and its approved design.

(c) A person may obtain from the FAA an export airworthiness approval to export a used aircraft engine, propeller, or article if it conforms to its approved design and is in a condition for safe operation.

(d) A used aircraft engine or propeller need not meet a requirement of paragraph (c) of this section if—

(1) The importing country or jurisdiction accepts, in a form and manner acceptable to the FAA, a deviation from that requirement; and

(2) The export airworthiness approval lists as an exception any difference between the used aircraft engine or propeller to be exported and its approved design.

#### § 21.335 Responsibilities of exporters.

Unless otherwise agreed to by the importing country or jurisdiction, each exporter must—

(a) Forward to the importing country or jurisdiction all documents specified by that country or jurisdiction;

(b) Preserve and package products and articles as necessary to protect them against corrosion and damage during transit or storage and state the duration of effectiveness of such preservation and packaging;

(c) Remove or cause to be removed any temporary installation incorporated on an aircraft for the purpose of export delivery and restore the aircraft to the approved configuration upon completion of the delivery flight;

(d) Secure all proper foreign entry clearances from all the countries or jurisdictions involved when conducting sales demonstrations or delivery flights; and

(e) When title to an aircraft passes or has passed to a foreign purchaser—

(1) Request cancellation of the U.S. registration and airworthiness certificates from the FAA, giving the date of transfer of title,

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and the name and address of the foreign owner;

(2) Return the Registration and Airworthiness Certificates to the FAA; and

(3) Provide a statement to the FAA certifying that the U.S. identification and registration numbers have been removed from the aircraft in compliance with § 45.33.

### Subpart M—Designated Alteration Station Authorization Procedures

SOURCE: Amdt. 21-6, 30 FR 11379, Sept. 8, 1965; 30 FR 11849, Sept. 16, 1965, unless otherwise noted.

#### § 21.431 Applicability.

(a) This subpart prescribes Designated Alteration Station (DAS) authorization procedures for—

(1) Issuing supplemental type certificates;

(2) Issuing experimental certificates; and

(3) Amending standard airworthiness certificates.

(b) This subpart applies to domestic repair stations, air carriers, commercial operators of large aircraft, and manufacturers of products.

[Amdt. 21-6, 30 FR 11379, Sept. 8, 1965; 30 FR 11849, Sept. 16, 1965, as amended by Amdt. 21-74, 62 FR 13253, Mar. 19, 1997]

#### § 21.435 Application.

(a) An applicant for a Designated Alteration Station authorization must submit an application, in writing and signed by an official of the applicant, to the Aircraft Certification Office responsible for the geographic area in which the applicant is located. The application must contain:

(1) The repair station certificate number held by the repair station applicant, and the current ratings covered by the certificate;

(2) The air carrier or commercial operator operating certificate number held by the air carrier or commercial operator applicant, and the products it may operate and maintain under the certificate;

(3) A statement by the manufacturer applicant of the products for which he holds the type certificate;

(4) The names, signatures, and titles of the persons for whom authorization to issue supplemental type certificates

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or experimental certificates, or amend airworthiness certificates, is requested; and

(5) A description of the applicant's facilities, and of the staff with which compliance with § 21.439(a)(4) is to be shown.

(b) After November 14, 2006, the Administrator will no longer accept applications for a Designated Alteration Station authorization.

(c) After November 14, 2009, no person may perform any function contained in a Designated Alteration Station authorization issued under this subpart.

[Amdt. No. 21-86, 70 FR 59946, Oct. 13, 2005]

#### § 21.439 Eligibility.

(a) To be eligible for a DAS authorization, the applicant must—

(1) Hold a current domestic repair station certificate under Part 145, or air carrier or commercial operator operating certificate under Part 121;

(2) Be a manufacturer of a product for which it has alteration authority under § 43.3(i) of this subchapter;

(3) Have adequate maintenance facilities and personnel, in the United States, appropriate to the products that it may operate and maintain under its certificate; and

(4) Employ, or have available, a staff of engineering, flight test, and inspection personnel who can determine compliance with the applicable airworthiness requirements of this chapter.

(b) At least one member of the staff required by paragraph (a)(4) of this section must have all of the following qualifications:

(1) A thorough working knowledge of the applicable requirements of this chapter.

(2) A position, on the applicant's staff, with authority to establish alteration programs that ensure that altered products meet the applicable requirements of this chapter.

(3) At least one year of satisfactory experience in direct contact with the FAA (or its predecessor agency (CAA)) while processing engineering work for type certification or alteration projects.

(4) At least eight years of aeronautical engineering experience (which may include the one year required by paragraph (b)(3) of this section).